

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ANTONIO THOMAS,

Defendant.

8:06CR243

ORDER

On the court's own motion,

IT IS ORDERED that Paragraph 3 of the September 14, 2006 Order [26] is amended to provide as follows:

3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between **September 12, 2006 and October 11, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED September 19, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge